

SUPERIOR COURT

STATE OF MAINE

DISTRICT COURT

_____, ss.

Location _____

Docket No. _____

Docket No. _____

Plaintiff

v.

Defendant

MOTION TO ENFORCE

☐ Child Support Only

Check () if only Child Support is involved

1. I am the ☐ **Plaintiff** ☐ **Defendant** in this case.

2. The other party is failing or refusing to obey the Court's Judgment or Order, dated _____, concerning the following issues (*Check the boxes that apply*) :

- ☐ Child Support
- ☐ Spousal Support (*Alimony*)
- ☐ Primary Physical Residence of the minor child(ren)
- ☐ Rights of Contact or visitation with the minor child(ren)
- ☐ Distribution of Property
- ☐ Responsibility for Debts
- ☐ Other: _____

3. It is within the other party's power to obey the Court's Judgment or Order. The other party has violated the Judgment or Order in the following ways:

(If more room is needed, you may continue this statement on a separate sheet of paper which should be signed under oath and attached to this motion).

4. ☐ (*Check here if this motion involves any children in this case and complete subparagraphs A through E. If no children are involved, go on to paragraph 5.*)

A. Plaintiff and Defendant are the parents of the following child(ren):

| <i>Name</i> | <i>Date of Birth</i> | <i>Present Address</i> |
|-------------|----------------------|------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

B. List below where and with whom the child(ren) have lived within the **past 5 years**.

| Name and present address of person child(ren) lived with | Dates child(ren) lived with that person | Town and State where child(ren) lived with that person |
|---|--|---|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

C. Plaintiff has not been involved in any way in, and has no information about, any court case in any state concerning the custody of the child(ren), except as follows:

- ☐ Protection from Abuse
☐ Protective Custody
☐ Other (*describe what kind of other case*) _____

D. No one other than the parties has physical custody of the child(ren), or claims to have custody or visitation rights with respect to the child(ren), except as follows: _____

E. (*Check all of the following boxes that apply*)

- ☐ (1) No public assistance benefits have ever been received for the child(ren).
☐ (2) Public assistance benefits have been, are now, or will be received for the child(ren).
☐ (3) The Department of Human Services **has** been contacted to review, change or enforce a child support order regarding the child(ren).

If you check box 2 or 3, you must send a copy of this motion to the Department of Human Services, Support Enforcement Division, Central Office Supervisor, 11 State House Station, Augusta, ME 04333-0011.

5. **WHEREFORE**, I ask the Court to find that the other party has failed or refused to obey the Court's Judgment or Order and enter an order requiring the other party to:

A. Permanently stop disobeying the Judgment or Order in this case.

B. Obey and comply with the Judgment or Order by requiring the party to do the following:

C. Pay my costs of this case, including reasonable attorney's fees.

And I ask the Court to grant such other relief as it deems just and proper.

Date: _____

Signature of ☐ Plaintiff ☐ Defendant

Address: _____

Phone: _____

IMPORTANT WARNING TO THE OTHER PARTY

You are hereby notified that, if you oppose this Motion, you must file with the Court a memorandum and any supporting affidavits or other documents not later than twenty-one (21) days after the filing of this Motion, unless another time period is provided by the Maine Rules of Civil Procedure or set by the Court.

You are also notified that your failure to file a timely memorandum in opposition to this Motion will be deemed a waiver by you of all objections to the Motion and may result in the court entering an order against you.

NOTICE TO BOTH PARTIES

If this motion is filed in the District Court and involves minor children, you are required to attend a case management conference at the court. Within two weeks after the court receives proof of service of the motion and a child support affidavit from the moving party, the court will notify you of the date and time of the conference. The notice will be sent by regular mail.

Do NOT wait until the time of the conference to object to the motion. As explained above, you must respond to the motion within the time limits established by court rules.

If you fail to appear at the conference without good cause, any pleadings you have filed may be dismissed, and an order may be entered in your absence.

STATE OF MAINE

County of _____, ss.

On _____ (date), I served the Motion to Enforce upon Respondent by delivering a copy of same at the following address: _____

- ☐ to the above-named Respondent in hand.
- ☐ to _____ (name), a person of suitable age and discretion who was then residing at Respondent's usual residence.
- ☐ to _____ (name), who is authorized to receive service for Respondent.
- ☐ by (describe other manner of service): _____

Costs of Service:

| | |
|--------------|-----------------|
| Service: | \$ _____ |
| Travel | \$ _____ |
| Postage | \$ _____ |
| Other | \$ _____ |
| Total | \$ _____ |

Signature of person making service

Title